

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,	)	
	)	
v.	)	
	)	Criminal No. 14-206
	)	
JOHN VILORIA,	)	Judge Cathy Bissoon
USMS 35357068	)	
	)	
Defendant.	)	

**ORDER**

John Viloria’s *pro se* Motion for Transcripts (Doc. 169) will be denied. Mr. Viloria has provided insufficient evidence of indigence. *See U.S. v. Taylor*, 2011 WL 3423922, \*2 (D. N.J. Aug. 4, 2011) (transcript request under 28 U.S.C. § 753(f) “must be accompanied by an affidavit bearing particularized information with regard to the party’s financial status”) (citation to quoted source omitted). Even were this not the case, his stated reasons for requesting transcripts are inadequate. *Compare* Mot. (“I[ am] currently working on my case” and “have constitutional errors in my case and sentencing. I am not seeking relief through [a] 2255 [petition] but would like these errors corrected.”) *with Taylor* at \*2 (Section 753(f) cannot be used “to search for error in an attempt to generate a basis” for attacking conviction or sentence). Before transcripts may be ordered, the Court must “certif[y] that the suit or appeal is not frivolous” and that it “presents a substantial question.” 28 U.S.C. § 753(f). Such a certification would be impossible to make based on the contents of the instant Motion.

For these reasons, John Viloria’s Motion for Transcripts (**Doc. 169**) is **DENIED**.

IT IS SO ORDERED.

October \_\_, 2015

s/Cathy Bissoon  
Cathy Bissoon  
United States District Judge

cc (via ECF email notification):

All Counsel of Record

cc (via First-Class U.S. Mail):

John Vilorio  
35357-068  
FCI Schuylkill  
P.O. Box 759  
Minersville, PA 17954-0759